IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 163 OF 2005

Bandra Reclamation Sra
Co-operative Housing Society
Ltd. and another. ... Appellants.

V/s

Slum Rehabilitation
Authorities and othes. ... Respondents.

CORAM: A.S. OKA, J.

DATE: 1st March, 2005.

P.C. :

. The Appellants - original Plaintiffs have challenged the order dated 19th January 2005 passed by the learned Judge of the City Civil Court, Mumbai by which ad-interim relief has been refused in favour of the Appellants - Plaintiffs.

2. My attention has been invited to the judgment and order dated 17th February 2005 passed by the Division Bench of this Court (Coram: H.L.Gokhale and S.C.Dharmadhikari, JJ) in Writ Petition No.12 of 2005 filed by the present Appellants. After having perused the said judgment and order I find that in view of the said order it is not necessary to grant any ad-interim relief at this stage.

3. The order impugned is a discretionary order. In view of the order passed by the Division Bench of this Court, no interference with the impugned order is called for.

4. Hence Appeal from Order is dismissed with no order as to costs.

5. It is obvious that the pending notice of motion will be decided by the trial Court on its own merits.

6. All the concerned to act on an authenticated copy of this order.

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